

December 2, 2017

Dear Chairman Jensen and Members of the Board,

My name is David Fleming and I am a 3<sup>rd</sup> generation commercial salmon fishermen in Prince William Sound. I have been a setnet gillnet permit holder the last 15 years and was a deckhand throughout my childhood for various family members before that. I come from a fishing family and currently have 2 siblings and a father who are current permit holders and lifelong participants in the seine, setnet (other than myself), and drift gillnet fisheries. I believe it is safe to say that my family is one of the first families to live/fish in Main Bay and have one of the longest tenures in the area out of current setnetters fishing that district today. At least one Fleming family member has been fishing PWS every single summer since 1963.

I currently reside in Anchorage and have been a lifelong resident of Alaska. I actively participate in fisheries advocacy and work in seafood sales throughout the winter when I am not out in Prince William Sound.

Thank you for allowing me the opportunity to comment on the following proposals:

**PROPOSAL 46**

**5 AAC 24.200. Fishing districts and subdistricts.**

Change boundary description of the Main Bay Subdistrict, as follows:

5 AAC 24.200. Fishing districts and subdistricts

(h) Eshamy District: waters east of...

(1) Main Bay Subdistrict: waters of Main Bay west of a line from 60\_ 33.36' N. lat., 148\_ 02.35' W. long. to **60\_ 32.81' N. lat., 148\_ 2.118' W. long.;**

-----**SUPPORT**-----

The errors and omissions coordinate change of the Main Bay Subdistrict in 2016 was incorrectly done and adversely affects my family and the remaining setnetters in Main Bay who are not on the subdistrict line. Since inception, my permit has always been 2<sup>nd</sup> on the line in the Main Bay subdistrict and is valued for that. (All other setnet sites in the bay are based off of where the line was marked historically)

The setnetter on the line site was given precedence to move out to the new line so they wouldn't lose their line site, but did not give up their previous line. In essence, they became 1<sup>st</sup> and 2<sup>nd</sup> on the line due to the coordinate change in 2016 while leaving my family and the remaining setnetters another spot back in a domino effect down the bay.

I support ADFG returning/grandfathering in to the previously marked boundary line for the Main Bay Subdistrict which was the official sign they put up in 1982 and is a prominent natural point (southside rockpile). This has been respected and is well

known among all fishermen in the area since then and suddenly changed in 2016. This loss of substantial income to my family as well as the other setnetters could have been prevented if ADFG would have honored the location where they put the sign up initially.

Why were the coordinates even changed in 2016 you may ask? The previous coordinates used (at least since 2009) were completely off (according to the regulations booklets) and not even on a land. In conclusion, the 2016 change was decided by selecting a point somewhere on the beach at random not thinking about the effects and consequences it would have on setnetters and their shore fishery leases.

There has been widespread disruption in fisheries statewide by adhering to the incorrect coordinates currently assigned to historic closure and boundary lines. The coordinates need to be updated to reflect closure and boundary lines as used over time.

**PROPOSAL 42**

**5 AAC 24.367. Main Bay Salmon Hatchery Harvest Management Plan.**

Repeal maximum length for set gillnet gear in the *Main Bay Salmon Hatchery Harvest Management Plan* and prohibit operation of a drift gillnet within 20 fathoms of a set gillnet, as follows:

(c)

**(1) No portion of a drift gillnet may be operated within 20 fathoms of a set gillnet. [NO SET GILLNET MAY EXCEED 50 FATHOMS IN LENGTH]**

-----OPPOSE-----

**PROPOSAL 43**

**5 AAC 24.367. Main Bay Salmon Hatchery Harvest Management Plan.**

**Clarify provisions for operation of drift gillnet and set gillnet gear in the Main Bay Subdistrict, as follows:**

(c)

**(6) Notwithstanding pre-existing regulations, a drift operation cannot be deemed illegal upon deployment of a set net. The drift operation must have time to retrieve its gear and/or navigate to legal waters.**

-----OPPOSE-----

**PROPOSAL 44**

**5 AAC 24.331. Gillnet specifications and operations.**

Specify that operation of each set gillnet or drift gillnet must be performed or assisted by a Commercial Fisheries Entry Commission permit holder in the Prince William Sound Area commercial salmon fishery, as follows:

(b)(3) The operation of each **set or drift** gillnet shall be performed or assisted by the fishermen who holds the valid interim use or entry permit card for that respective gear;

-----OPPOSE-----

**PROPOSAL 45**

**5 AAC 24.331 Gillnet specifications and operations.**

Limit each Commercial Fisheries Entry Commission permit holder to no more than four set gillnet sites deployed with lines and buoys in the Prince William Sound Area commercial set gillnet fishery, as follows:

**(E) No set gillnet permit holder shall have more than four set net sites deployed with lines and buoys during an announced opener.**

-----OPPOSE-----

I do not have the time to go into every detail for my opposition to proposals 42-45, but would like to say that these are aimed at trying to allocate more of the resource to the benefit of one gear type over the other in the Main Bay/Eshamy district and are mainly unenforceable, would increase levels of conflict, and decrease safety among setnetters.

PWS setnetters can only fish 1 district in PWS and that is Eshamy. We live and fish there all summer every summer. Even when we are limited to 36 hours per week of fishing time we are still there. Eshamy began as a setnet dominated district, but feels as though we are being pushed to the brink of extinction.

Thank you for your time and consideration,

David Fleming

Eric Fleming

Joseph Fleming

Corky Fleming